

Serial No. 10/686,711

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 9, 11-15, 19, and 23-24 have been amended. Claims 1-8, 16-18, and 20-22 were previously cancelled. Claims 9-15, 19, and 23-24 are pending and under consideration.

I. Objection to the Specification

In the Office Action, at page 2, claim 11 was objected to as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the recitation "the hot air" was objected to. Claim 11 has been amended in response to this objection and, therefore, withdrawal of this objection is respectfully requested.

II. Rejections under 35 U.S.C. § 103

In the Office Action, at pages 2-3, claims 9-10, 12-15, 19, and 23 were rejected under 35 USC § 103(a) as being unpatentable over Belding et al. (U.S. Patent No. 5,727,394) in view of Macriss et al. (U.S. Patent No. 3,844,737).

Neither Belding et al. nor Macriss et al. discusses or suggests "a heat exchange element providing heat exchange between two flow passages, the air dried by said dehumidifier rotor being supplied to a room through a first passage of said heat exchange element, air from inside of the room being passed in a second passage of said heat exchange element and discharged to the atmosphere, and water being supplied in the second passage of said heat exchange element," as recited in amended claim 9. In other words, air from inside of the room is passed in the second passage of the heat exchange element and air in the second passage is humidified by the water. As heat exchange is only performed between the first passage and the second passage of the heat exchanges element, no mixture of air between the first passage and the second passage occurs. Therefore, the air that passes through the first passage is cooled, without being humidified. In contrast, neither Belding et al. nor Macriss et al. makes any mention of cooling the air in a first passage in this manner.

Furthermore, Belding et al. states that it is desirable to use dry air for introduction into the wet side of an indirect evaporative cooler (Belding et al., col. 6, lines 25-41). Belding et al. achieves this dry air from a line, with the air being dried by a desiccant wheel (Belding et al., col. 6, lines 25-41). Macriss et al. provides that air from a room is passed over an evaporating pad and then through a sensible heat exchanger. However, Macriss et al. discloses that relatively

Serial No. 10/686,711

moist air is passed over a segmented portion of the sensible heat exchanger (Macriss et al., col. 6., lines 12-21). In other words, the teachings of Belding et al. and Macriss et al. are inconsistent. Therefore, there is no adequate motivation to combine Belding et al. and Macriss et al., without having to rely on Applicant's own disclosure. Therefore, independent claims 9, 14, and 23 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Since neither Belding et al. nor Macriss et al. discusses or suggests "a heat exchange element providing heat exchange between two flow passages, the air dried by said dehumidifier rotor being supplied to a room through a first passage of said heat exchange element, air from inside of the room being passed in a second passage of said heat exchange element and discharged to the atmosphere, and water being supplied in the second passage of said heat exchange element," as recited in amended claim 9, and there is no adequate motivation to combine Belding et al. and Macriss et al., claim 9 patentably distinguishes over the references relied upon. Accordingly, withdrawal of this § 103(a) rejection is respectfully requested.

Claims 10 and 12-13 depend either directly or indirectly from independent claim 9, and include all the features of claim 9, plus additional features that are not discussed or suggested by the reference relied upon. Therefore, claims 10 and 12-13 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Since neither Belding et al. nor Macriss et al. discusses or suggests "a heat exchange element providing heat exchange between two flow passages, the air dried by said dehumidifier rotor being supplied to a room through a first passage of said heat exchange element, air from inside of the room being passed in a second passage of said heat exchange element and discharged to the atmosphere, and water being supplied in the second passage of said heat exchange element, drops of said water being added in outer air and said outer air being passed in a part of the second passage of said heat exchange element," as recited in amended claim 14, and there is no adequate motivation to combine Belding et al. and Macriss et al., claim 14 patentably distinguishes over the references relied upon. Accordingly, withdrawal of this § 103(a) rejection is respectfully requested.

Claims 15 and 19 depend either directly or indirectly from independent claim 14, and include all the features of claim 14, plus additional features that are not discussed or suggested by the reference relied upon. Therefore, claims 15 and 19 patentably distinguish over the

Serial No. 10/686,711

references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Since neither Belding et al. nor Macriss et al. discusses or suggests "a heat exchange element providing heat exchange between at least two flow passages, the air dried by said dehumidifier rotor being supplied to a room through a first passage of said heat exchange element, water is passed in a second passage of said heat exchange element, wherein the passages of the heat exchange element are isolated such that the dry air in the first passage is prevented from adsorbing moisture from the humidified air in the second passage," as recited in amended claim 23, and there is no adequate motivation to combine Belding et al. and Macriss et al., claim 23 patentably distinguishes over the references relied upon. Accordingly, withdrawal of this § 103(a) rejection is respectfully requested.

In the Office Action, at page 3, claims 11 and 24 were rejected under 35 USC § 103(a) as being unpatentable over Belding et al. and Macriss et al. as applied to claim 9, and further in view of Niwa et al. (JP 08061090).

Neither Belding et al. nor Macriss et al. discusses or suggests "a heat exchange element providing heat exchange between at least two flow passages and including a separate cooling passage, the air dried by said dehumidifier rotor being supplied to a room through a first passage of said heat exchange element, air from inside of the room, which is humidified, being passed in the cooling passage of said heat exchange element," as recited in amended claim 24. Niwa et al. fails to make up for this deficiency. Specifically, Niwa et al. makes no mention of a separate cooling passage. Therefore, claim 24 patentably distinguishes over Belding et al., Macriss et al., Niwa et al., and any combination thereof. Accordingly, withdrawal of this § 103(a) rejection is respectfully requested.

As discussed above, neither Belding et al. nor Macriss et al. discusses or suggests all of the features of independent claim 9. Claim 11 depends directly from claim 9, and includes all the features of claim 9, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claim 11 patentably distinguishes over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of this § 103(a) rejection is respectfully requested.

In the Office Action, at pages 3-4, claims 9-12, 14, 23, and 24 were rejected under 35 USC § 103(a) as being unpatentable over Moratalla (U.S. Patent No. 6,361,588) in view of Guimaraces (U.S. Patent No. 6,044,640).

Serial No. 10/686,711

Neither Moratalla nor Guimaraces discusses or suggests "a heat exchange element providing heat exchange between two flow passages, the air dried by said dehumidifier rotor being supplied to a room through a first passage of said heat exchange element, air from inside of the room being passed in a second passage of said heat exchange element and discharged to the atmosphere, and water being supplied in the second passage of said heat exchange element," as recited in amended claim 9. In other words, the invention of claim 9 require that water be supplied to the second passage of heat exchange element. In contrast, Moratalla provides that an evaporative cooler may be provided upstream from the heat exchanger. Although the evaporative cooler would cool the air, it would not introduce water to the sensible heat exchanger. After passing through the evaporative cooler, the air is sent to a sensible heat exchanger. This indicates that heat exchange is not performed through evaporation. Also, there is no indication in either Moratalla or Guimaraces that the air from a second passage is discharged into the atmosphere.

Further, the Examiner concedes that Moratalla does not disclose a rotor type dehumidifier. Guimaraces simply indicates that the dehumidifier maybe any standard of product available from several manufacturers. This is no suggestion in Guimaraces that would motivate one skilled in the art use a rotary drum dehumidifier instead of the dehumidifier disclosed in Moratalla.

Since neither Moratalla nor Guimaraces discusses or suggests "a heat exchange element providing heat exchange between two flow passages, the air dried by said dehumidifier rotor being supplied to a room through a first passage of said heat exchange element, air from inside of the room being passed in a second passage of said heat exchange element and discharged to the atmosphere, and water being supplied in the second passage of said heat exchange element," as recited in amended claim 9, and there is no adequate motivation to combine Moratalla and Guimaraces, claim 9 patentably distinguishes over the references relied upon. Accordingly, withdrawal of this § 103(a) rejection is respectfully requested.

Claims 10-12 depend either directly or indirectly from independent claim 9, and include all the features of claim 9, plus additional features that are not discussed or suggested by the reference relied upon. Therefore, claims 10 -12 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Since neither Moratalla nor Guimaraces discusses or suggests "a heat exchange element providing heat exchange between two flow passages, the air dried by said dehumidifier

Serial No. 10/686,711

rotor being supplied to a room through a first passage of said heat exchange element, air from inside of the room being passed in a second passage of said heat exchange element and discharged to the atmosphere, and water being supplied in the second passage of said heat exchange element, drops of said water being added in outer air and said outer air being passed in a part of the second passage of said heat exchange element," as recited in amended claim 14, and there is no adequate motivation to combine Moratalla and Guimaraces, claim 14 patentably distinguishes over the references relied upon. Accordingly, withdrawal of this § 103(a) rejection is respectfully requested.

Since neither Moratalla nor Guimaraces discusses or suggests "a heat exchange element providing heat exchange between at least two flow passages, the air dried by said dehumidifier rotor being supplied to a room through a first passage of said heat exchange element, water is passed in a second passage of said heat exchange element, wherein the passages of the heat exchange element are isolated such that the dry air in the first passage is prevented from adsorbing moisture from the humidified air in the second passage," as recited in amended claim 23, and there is no adequate motivation to combine Moratalla and Guimaraces, claim 23 patentably distinguishes over the references relied upon. Accordingly, withdrawal of this § 103(a) rejection is respectfully requested.

Neither Moratalla nor Guimaraces discusses or suggests "a heat exchange element providing heat exchange between at least two flow passages and including a separate cooling passage, the air dried by said dehumidifier rotor being supplied to a room through a first passage of said heat exchange element, air from inside of the room, which is humidified, being passed in the cooling passage of said heat exchange element," as recited in amended claim 24. In other words, air from inside the room is passed in a cooling passage of the heat exchange element. However, since heat exchange occurs only between the at least two passages, no mixture of air between the first passage and the cooling passage occurs. Therefore, the air that passes through the first passage is cooled, without being humidified. Therefore, claim 24 patentably distinguishes over Moratalla nor Guimaraces, and the combination thereof. Accordingly, withdrawal of this § 103(a) rejection is respectfully requested.

CONCLUSION

Claims 9, 11-15, 19, and 23-24 have been amended. Claims 1-8, 16-18, and 20-22 were previously cancelled. Claims 9-15, 19, and 23-24 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Serial No. 10/686,711

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 8/31/06